

# ASK MISTRIAL, ALLEGING JURY BIAS

## Hotel Man's Story Before Hall Court; Decision Awaited

(Continued from page 3)

he called character witnesses to the stand.

The prosecutor said he had twelve witnesses to swear that Mrs. Jane Gibson's reputation for truthfulness was good. These persons have been summoned by the state to combat the testimony of a procession of witnesses who, for the defense, testified that the "pig woman's" reputation was bad.

McCarter urged that the trial be conducted in a regular way, and Simpson called Hartkorn, asking the witness if he had been present when S-17, the calling card, had been photographed.

"Yes, I did everything but snap the camera," was the reply.

Hartkorn testified that "E. H. S.", the initials of Edward H. Schwartz, Newark fingerprint expert, were faintly visible on the card.

### Was With a Circus

Testifying for the state, Schwartz had asserted that he initialed the card which he and his fellow experts say bears Willie Stevens's fingerprints. The defense insisted that examination of the card revealed no initials.

By Mr. MacCarter:—"Previous to the Peak will case you were in a circus?"

"I was also a prize fighter in the case of Dempsey vs. Stillman."

Q. That may be funny, but I move it be stricken out.

Q. Were you not with a circus? A. Yes, I was auditing with the United Circus Company.

Q. Did you by any chance examine the handwriting of Jane Gibson? A. I did not.

(Mrs. Gibson at one time was a circus performer.)

Hartkorn said he has been a



Henry Carpenter



Mrs. Henry Carpenter

certified public accountant in Jersey since 1904.

### Three Pencils Used

McCarter began questioning Hartkorn on the entries in Henry Stevens's diary. The expert insisted three pencils had been used on September 14, 1922.

This bore out the state's contention that Stevens filled in the murder date some days later, especially with the famous "bluefish catch," to bolster up his alibi.

Q. Why do you say the line "at Max's in aft" was written before "One blue, four pounds"? A. Because there is a line running through "At Max's in aft."

Q. Don't you think the line was drawn to give more space to the next entry—September 15. Between August 14 and 15 there is also a line? A. I don't know. It may be.

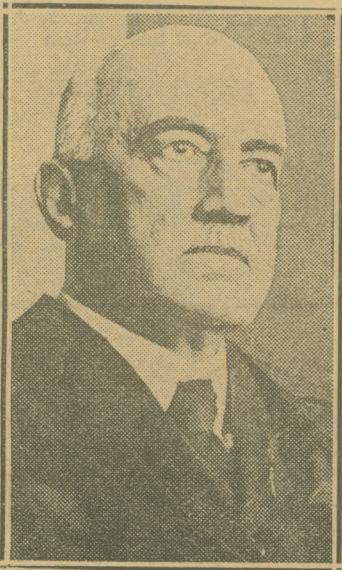
Q. Were you here when Henry Stevens testified? A. No.

### Simpson Has Little Success

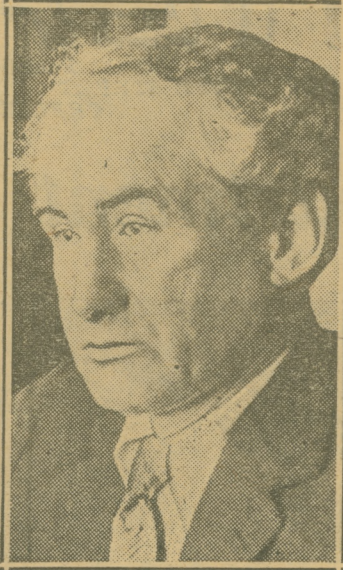
Stevens had testified that on September 15 he caught a four-pound bluefish. McCarter insisted that Henry's entry of "One blue, four pounds" was not made for the 14th but for the 15th, and that therefore difference in pencils used meant nothing. The state had presumed the entry for the 14th.

McCarter's cross-examination dragged along without much success. Hartkorn, at the lawyer's request, allowed each juror to look at the calling card through a magnifying glass. The expert pointed

## Will Weigh Jury Bias Charge



JUSTICE C. W. PARKER (at left) is asked by Special Prosecutor Simpson (right) in the Hall-Mills murder case to declare a mistrial on the strength of allegations of prejudgment in favor of the accused.



out what he contended were traces of Schwartz's initials.

While this was in progress the vigilant Justice Parker thought he spotted a photographer in the balcony.

John Bunn, court crier, plunged from the pit to the suspected spot, but found no camera bootlegger.

Q. When did you first meet Schwartz? A. A week ago yesterday at the prosecutor's office here, but I did not know his name then.

### Defense Wins Point

Dr. Walter Madden, former mayor of Trenton, was the next witness, the first of a procession to testify to the truthfulness of Mrs. Gibson. Dr. Madden said he had known the "pig woman" from 1911 to 1914.

Q. What was her reputation for truth and veracity?

Senator Case objected that the period was too remote to bear on Mrs. Gibson's truthfulness at the time of the murders. The defense objection was sustained and Madden left the stand.

Dr. J. H. Cooper, prosperous looking physician of East Millstone, the "pig woman's" physician at the time of the murders, was the next witness.

### Simpson Gets Shock

Cooper, dug up by state investigators, gave Simpson a bad shock when he asked him:—"What is Mrs. Gibson's reputation for truth and veracity?"

"Not so good," the doctor boomed back.

Simpson then attempted to save himself, but finally allowed Cooper to go after asking:—"You were given to me as a character witness and then you bawl me up by saying 'Not so good.' What I want to find out now is how you got on the stand."

The court room roared. Mrs. Hall actually laughed heartily.

### New Fingerprint Expert

Among the state's rebuttal witnesses for today is Lieut. William P. Burns, superintendent of the Bureau of Identification of the Baltimore Police Department, who will be used to combat the testimony of defense fingerprint experts that the print on Dr. Hall's calling card is not Willie Stevens's.

In beginning its rebuttal testimony yesterday the prosecution called Mrs. Mary Elverson, court stenographer at Toms River, to identify affidavits by Arthur Applegate, Thaddeus Mellinger and Enoch Vancamp, three defense witnesses called to support the alibi of Henry Stevens.

The documents she identified were produced in preliminary investigations, and it is the contention that the stories told at that time contradict their statements on the witness stand in the present proceedings.

August Hartshorn, produced by the state as a handwriting expert, testified that the entries in Henry

Stevens's diary for September 14, 1922, were inscribed at different times, and with three distinct lead pencils. The state contends Stevens filled in the date some days after the murders to bolster up his alibi.

### Defense Rests Case

The defense rested its case at 2.20 p. m., when Mrs. Paul Bonner of New York, sister of the murdered clergyman, completed her testimony. For a few minutes prior to that the lawyers had examined Mrs. Fanny H. Voorhees, another of the dead rector's sisters; James H. Taylor, fingerprint expert of the Navy Department, and Sherman Burns, secretary-treasurer of the Burns Detective Agency, New York.

Through Taylor the defense laid its basis for a charge that the alleged fingerprint of "Willie



Ralph Gorsline



J. V. Hubbard

Stevens on the calling card is a forgery. Taylor told of different ways the impression of a finger might be forged.

Dr. Hall's sisters told of Mrs. Hall's summoning them to her home the day before the bodies were found, and asking their aid in searching for him. They also testified that there were no scratches on the widow's face at that time. State witnesses have told of seeing a two-inch scratch, which Prosecutor Simpson contends was received at the murder scene.

The detective agency head testified that William J. Garvin, formerly in his employ, had told him nothing of Ralph Gorsline's "confession," in which the vestryman is alleged to have said that Henry Stevens accosted him in De Russeys Lane on the murder night, fired two shots at his feet, and ordered him from the locality.

### Ordeal for Mrs. Hall

The entire morning session was devoted to the final examination of Mrs. Hall, cross-examination and re-direct.

For an hour and fifty minutes of this time the widow of the murdered minister was at Simpson's mercy through the most severe and insistent questionings he had given any of the three defendants.

It had little more effect than on Saturday. The proud, broken widow, who has been girding herself for months to withstand an ordeal seldom meted out to women of her

## Mrs. Hall Main Victim of Tragedy, Says Dr. Straton

By REV. JOHN ROACH STRATON, D. D.

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When the smoke and dust of the present Hall-Mills legal battle have cleared away and the minds of the people turn to the deep and tragic elements in this case, I believe that the sober, second thought of all will be that the main victim has been that calm and serene soul—the widow of a preacher who fell away and sadly transgressed.

My task in this series of articles

## 12 Hall Jurors, 9 Alleged to Have Indicated a Bias

The jurors in the Hall-Mills murder case, nine of whom are said to have shown a bias in favor of the accused, are:—

1. John A. Dunster, Somerville; merchant.
2. John W. Young, Middlebush; farmer.
3. Rudolph Steffans, North Plainfield; teamster.
4. John B. Stryker, Somerville; clerk.
5. Edward S. Tellman, Raritan; superintendent.
6. Fred Sage, Warren township; farmer.
7. Raymond Young, Skillman; farmer.
8. Charles V. H. Skillman, Belle Mead; farmer.
9. William Dalley, Somerville; mason.
10. George O. Labaw, Neshanic Station; farmer.
11. Samuel B. Hope, North Branch; salesman.
12. Joseph A. Roach, Middlebush; blacksmith.

### Two Crimes Involved

I would have my readers, therefore, bear ever in mind that there are really two crimes involved in this case: first, the domestic tragedy of marital infidelity and treason; and, secondly, the dark and terrible crime of murder, at the hand of those who sought vengeance.

Many blighted lives, wrecked homes and sorrow-stricken hearts are the inevitable results of such transgressions, and it is legitimate to express—because the white light of publicity from the beginning has beaten so mercilessly upon these violations of eternal righteousness—sympathy for the one who at last has been the greatest sufferer from it all. Indeed, the woman in such a case always carries a heavier burden than does the man. When a woman gives herself in holy wedlock to her husband she literally stakes all and gives all. Of necessity she surrenders more of liberty and carries heavier burdens than does the man.

If wrongfully inclined, the man is more free to come and go, and even to turn his back if dissatisfaction arises upon it all. But the woman, through the obligations of

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## PREDICT CANCER CURE BY X-RAY DISCOVERIES

MILWAUKEE, Nov. 30 (By U. P.).—Cancer, regarded as an incurable scourge, may soon be curable through further development of X-ray treatments, according to radiologists at the convention here of the Radiological Society of North America.

Even now specialists agree the disease is curable in its incipient stages.

## Tour Offers Scenic Treat



YOUNGSTERS WILL LOVE Jasper National Park, Canadian Rockies, one of the many beauty spots of continent visited on 15,500-mile Second Annual GRAPHIC Friendship Tour, from July 3 to August 11. Increasing number of reservations indicates this summer's tour, with Alaska, California, Yellowstone National Park, Canadian Rockies and Royal Gorge on itinerary, will be even more successful than that of 1926. Luxurious accommodations and congenial companionship with social, business, civic and professional leaders are promised. For further information write Tour Department, The GRAPHIC, 25 City Hall Place, or branch office, Room 402, 50 Court St., Brooklyn. Rates are unusually reasonable. (Photo Canadian National Railways.)

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